

1 State of Arkansas  
2 91st General Assembly  
3 Regular Session, 2017  
4

# A Bill

SENATE BILL 714

5 By: Senator J. Hutchinson  
6 By: Representative Sorvillo  
7

## For An Act To Be Entitled

9 AN ACT TO AMEND THE LAW CONCERNING THE SALE OR  
10 REMOVAL OF CERTAIN PERSONAL PROPERTY ABANDONED IN A  
11 SELF-SERVICE STORAGE FACILITY; TO AUTHORIZE ISSUANCE  
12 OF NEW TITLE TO THE PURCHASER; TO DECLARE AN  
13 EMERGENCY; AND FOR OTHER PURPOSES.  
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## Subtitle

16  
17 TO AMEND THE LAW CONCERNING THE SALE OR  
18 REMOVAL OF CERTAIN PERSONAL PROPERTY  
19 ABANDONED IN A SELF-SERVICE STORAGE  
20 FACILITY; TO AUTHORIZE THE ISSUANCE OF  
21 NEW TITLE TO THE PURCHASER; AND TO  
22 DECLARE AN EMERGENCY.  
23  
24

25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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27 SECTION 1. The introductory language of Arkansas Code § 18-16-407(a),  
28 concerning the sale and removal procedure of personal property, is amended to  
29 read as follows:

30 (a) Except for the sale or removal of personal property authorized  
31 under § 18-16-214, ~~Before~~ before conducting a sale or removal of personal  
32 property under § 18-16-406, the operator shall:  
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34 SECTION 2. Arkansas Code Title 18, Chapter 16, Subchapter 4, is  
35 amended to add an additional section to read as follows:

36 18-16-412. Sale and removal procedure of vehicle.



1       A self-service storage facility may sell or remove a vehicle of a type  
2 subject to registration under the laws of this state using the procedure  
3 established for the sale or removal of a vehicle by a towing and storage form  
4 as provided in § 27-50-1101 and §§ 27-50-1202 - 27-50-1210.

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6       SECTION 3. EMERGENCY CLAUSE. It is found and determined by the  
7 General Assembly of the State of Arkansas that the current law concerning the  
8 sale or removal of a vehicle by a self-service storage facility does not  
9 authorize the issuance of a new certificate of title to the vehicle purchaser  
10 and, accordingly, self-service storage facilities are unable to sell  
11 abandoned vehicles resulting in irreparable harm to these businesses by  
12 causing a loss of income and storage space; and that this act is immediately  
13 necessary to allow the sale or removal of abandoned vehicles. Therefore, an  
14 emergency is declared to exist and this act being immediately necessary for  
15 the preservation of the public peace, health, and safety shall become  
16 effective on:

17               (1) The date of its approval by the Governor;

18               (2) If the bill is neither approved nor vetoed by the Governor,  
19 the expiration of the period of time during which the Governor may veto the  
20 bill; or

21               (3) If the bill is vetoed by the Governor and the veto is  
22 overridden, the date the last house overrides the veto.